

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of:

Sherman, et al.

Serial No.: 10/806,840

Art Unit: 3764

Filed: March 22, 2004

For: Modular CPR Assist  
Device

Examiner: DeMille, Danton D.

PETITION TO MAKE AN APPLICATION ON BEHALF OF A NON-SIGNING  
INVENTOR

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Patent Office under 37 C.F.R. §1.47 to make this application on behalf of a non-signing inventor. A joint inventor, Darren R. Sherman, refuses to join in the application for patent. Therefore, the present application is made by the remaining inventor, Kenneth H. Mollenauer, on behalf of himself and the non-signing inventor.

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Certificate of transmission under 37 CFR 1.8

I hereby certify that this response (along with any paper referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FILED VIA EFS  
Date: February 20, 2008

/K. David Crockett/  
K. David Crockett, Esq., 34311

On January 18, 2008, after numerous attempts to contact Darren R. Sherman by telephone, e-mail and letter, Mr. Sherman spoke with K. David Crockett, Esq. of Crockett & Crockett, PC. Mr. Sherman told Mr. Crockett that he refuses to sign the declaration in the present application. Mr. Sherman had previously been provided with a copy of the application and a declaration for signature. Copies were provided by mail, certified mail (which was returned), by FedEx, and by e-mail.

The current address of Mr. Sherman is 1216 Southeast 5<sup>th</sup> Court, Fort Lauderdale, FL 33301-3008.

Therefore, Applicant requests that the declaration in the application be accepted with less than all of the inventors, and that the Patent Office permit the application to be made by the remaining inventor.

Date: February 20, 2008

By: /K. David Crockett/  
K. David Crockett, Esq.  
Reg. No. 34311